

Before the  
Federal Communications Commission  
Washington, DC 20554

Nov 12 11:42:11 AM '04

In the Matter of )

Request for Review of the Decision of the )  
Universal Service Administrator by )Alvarado Independent School )  
Alvarado, Texas )

File No. SLD-371204

Schools and Libraries Universal Service Support )  
Mechanism )

CC Docket No. 02-6

**ORDER****Adopted: November 10, 2004****Released: November 12, 2004**

By the Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Alvarado Independent School (Alvarado), Alvarado, Texas, seeks review of a June 2, 2004 decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>1</sup> For a review of a decision by SLD, appeals to the Commission must be filed within 60 days of the issuance of the SLD decision date.<sup>2</sup> Here, Alvarado filed its appeal after the 60-day period, in contravention of our rules. We therefore dismiss its Request for Review.

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Requests for Review filed on September 3, 2004 by Alvarado Independent School, Alvarado, Texas IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Vickie S. Robinson  
Deputy Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

<sup>1</sup> Letter from Kyle Berger, Alvarado Independent School, to Federal Communications Commission, filed September 3, 2004 (Request for Review). See also Form 486 Notification Letter from Schools and Libraries Division, Universal Service Administrative Company, to Stephanie Farmer, Alvarado Independent School, dated June 2, 2004. Any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

<sup>2</sup> Commission rules previously required that appeals must be filed with the Commission or SLD within 30 days of the issuance of the decision that the party seeks to have reviewed. This deadline was modified in 2001 by an interim order, extending the deadline to 60 days. See *Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, 17 FCC Rcd 339 (Com. Car. Bur. 2001), as corrected by *Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Errata (Com. Car. Bur. rel. Dec. 28, 2001 and Jan. 4, 2002). In 2003, the Commission permanently extended the time limit for filing an initial appeal with SLD and the Commission to 60 days. See *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202, 9221, paras. 55-56 (2003). 47 C.F.R. § 54.720(b).